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## CAMPAIGN FINANCE DIVISION

☒ **WAIVER REQUEST**  
☐ **RECONSIDERATION REQUEST**

**DATE: 6/1/2021**  
**DOCKET #:**

### FILER INFORMATION

Name: John L. Daniel  
Office: Mayor, Town of Franklinton  
Parish: WASHINGTON  
Election Date: 11/3/2020  
Level of Office: Any

309 10th Avenue  
Franklinton, LA.  
70438

### REPORT INFORMATION

Name of Report: 10-G  
Original Due Date: 11/25/2020  
Date Filed: 12/6/2020  
Activity Receipts: \$1,200.00 (candidate's own funds to forgive loan)  
Expenditures: \$0  
Funds at Close of Reporting Period: \$0

### LATE FEE INFORMATION

Amount of Late Fee: \$440  
Days Late: 11  
Late Fee Order Received: 3/2/2021  
Payment/Waiver Request Due Date: 3/22/2021  
Waiver Request Received: 3/11/2021  
Additional Information Requested:  
- Medical - DOCTOR'S LETTERS ATTACHED  
- Financial  
- Other

**COMMENTS:** Candidate emailed in waiver request and states he was late submitting his paperwork due to a serious illness suffered by his wife that required him to assist in taking care of her. He said that his wife had brain surgery in 2005 which left her unable to walk without assistance and left her weak on her right side and needs constant assistance. He said that during the time he would have been preparing the reports his wife had additional health issues with documentation enclosed of multiple incidents.

### OTHER LATE FEE INFORMATION

#### Campaign Finance:

Other Outstanding Reports: No  
Other Outstanding Late Fees: No  
Prior Late Fees: YES  
Reassessed Late Fees: No

#### Disclosure Statements:

Other Outstanding Late Fees: No  
Prior Late Fees: No

**From:**  
**Sent:** Thursday, March 11, 2021 9:52 PM  
**To:** Daniel, John;  
**Subject:** Ethics board

To whom it may concern:

I received your letter concerning late fees for campaign finance reports for the November 3, 2020 election. The letter states that I have the right to request a waiver through the ethics board within 20 days of receiving your letter.

I was late submitting the paperwork due to a serious illness suffered by my wife that required me to assist in taking care of her. In 2005, she underwent brain surgery which left her unable to walk without assistance. The surgery also left her weak on her left side which requires additional assistance for situations like going to the restroom, getting to the kitchen table from her recliner chair, etc.

During the time I would have been preparing the paperwork for your office, my wife was going through additional health issues.

I will list these below as well as attaching copies of hospital and insurance reports with the dates these events occurred.

On November 14, 2020, my wife became ill and was diagnosed with an acute urinary tract infection, Chronic nausea, dehydration, nausea. (See Document A) Riverside Medical Center - Emergency room department report.

On November 16, 2020, I returned to the Riverside Medical Center emergency room with my wife while she suffered from the same symptoms. (See document B)

On November 17, 2020, I took my wife to the emergency room at St. Tammany Parish Hospital in Covington. (Document C)

My wife was admitted to St. Tammany Parish Hospital and treated for the above symptoms until she was discharged on November 21, 2020. (Document D)

My wife was sent home under the care of Pulse Home Health. Her home health care lasted from November 23, 2020 through January 11, 2021. (Document D)

The above information and documentation caused me to miss the deadline date to submit paperwork to your department. If you've never experienced an acute urinary tract infection, it affects the mind and makes you seem absolutely delusional and crazy. I ask for your understanding and ask you to forgive the fine imposed on me.

If you need additional information, please feel free to contact me.

Regards,  
John L. Daniel  
985-515-3419 (cell)



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STATE OF LOUISIANA  
DEPARTMENT OF STATE CIVIL SERVICE  
**LOUISIANA BOARD OF ETHICS**  
P. O. BOX 4368  
BATON ROUGE, LA 70821  
(225) 219-5600  
FAX: (225) 381-7271  
1-800-842-6630  
www.ethics.la.gov

February 26, 2021

John L. Daniel  
309 10th Ave.  
Franklinton, LA 70438

**CERTIFIED MAIL**

**NO. 70191640000203529465**

**RETURN RECEIPT REQUESTED**

RE: Late fee assessment for the November 3, 2020 Election  
10-G Campaign Finance Disclosure Report filed 11 days late

Dear John L. Daniel:

Enclosed is an assessment of a late fee pursuant to La R.S. 18:1505.4 and La. R.S. 18:1511.4.1. Please submit a check or money order in the amount of **\$440** payable to the Treasurer of the State of Louisiana to P. O. Box 4368, Baton Rouge, LA 70821. **Please note that late fees can only be paid by the candidate or by his campaign.**

**You have 20 days from receipt of this letter to dispute this assessment. You may elect to do either or both of the following:**

1. You may submit your request for a waiver to the attention of the Louisiana Board of Ethics.

Waivers are handled by the Ethics Board. The Board of Ethics may reduce, suspend, or decline to waive a late fee assessment based on the cause shown by the person, candidate, or political committee. If you submit a request for a waiver of the late fee to the Board of Ethics, your request should contain details as to why, in your opinion, you have good cause why your report was not timely filed. Also, if you would like to appear before the Board of Ethics in connection with your request, you should state that in your letter. The request should be submitted to the attention of the Board of Ethics at the following address: P. O. Box 4368, Baton Rouge, LA 70821 or fax at (225) 381-7271.

2. You may appeal **the assessment** directly to the Ethics Adjudicatory Board (EAB).

Appeals to the EAB are proceedings before a three judge panel. The determination is made regarding whether the person, candidate, or political committee was required to file the report and whether the report was filed late. **Mitigating factors are not considered during an EAB proceeding. The EAB does not have the authority to reduce, suspend, or waive a late fee assessment.** If you choose to appeal the assessment to the EAB, you should submit your request for an appeal to the attention of the Executive Secretary of the Louisiana Board of Ethics at P. O. Box 4368, Baton Rouge, LA 70821 or fax at (225) 381-7271.

If you timely submit a waiver request or appeal, your name will not be posted on the website pending the result of your appeal. Furthermore, if you request an appearance, you will be notified of the place and time prior to the meeting.

If you do not **pay or dispute** the assessment of the late fee within 20 days from the receipt of this letter, the matter will be forwarded to the Attorney General's Office to pursue collection. If the matter is forwarded to the Attorney General's Office for collection, you may be responsible for all additional costs incurred. Additionally, late fees not paid by the due date will be posted on the agency website.

***You should be aware that unpaid campaign finance fines, fees or penalties may have an adverse effect on your ability to run for public office in the future, as the Board of Ethics will object to your future qualifications for candidacy for public office pursuant to La. R.S. 18:491 and R.S. 18:492.***

Sincerely,

**LOUISIANA BOARD OF ETHICS**

**Melissa Horn**

**STATE OF LOUISIANA LOUISIANA BOARD OF ETHICS**  
acting in its capacity as the  
**SUPERVISORY COMMITTEE ON CAMPAIGN FINANCE DISCLOSURE**

**In Re:        John L. Daniel**  
**November 3, 2020 Election**

**LATE FEE ASSESSMENT ORDER**

**WHEREAS**, John L. Daniel, in his capacity as a candidate for Mayor, Town of Franklinton in the November 3, 2020 election was required to file campaign finance reports pursuant to La. R.S. 18:1484.


**WHEREAS**, La. R.S. 18:1505.1 provides that it is a violation of the Campaign Finance Disclosure Act to fail to timely file campaign finance reports.

**WHEREAS**, in accordance with La. R.S. 18:1495.4B(5), John L. Daniel was required to file a 10th Day Prior to General Report (10-G) by November 25, 2020. John L. Daniel filed the report on December 6, 2020 and was 11 days late.

**WHEREAS**, La. R.S. 18:1505.4A(2)(a)(iii) provides that an automatic late fee of \$40 per day (not to exceed \$1,000) be assessed against John L. Daniel for this late filing.

**ACCORDINGLY, IT IS ORDERED** that a late fee of \$440 is assessed against John L. Daniel for failure to timely file his campaign finance disclosure report.

**ORDER** signed on the 26th day of February 2021 at Baton Rouge, Louisiana.

  
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Angela Newsom, Director  
Campaign Finance & Lobbying Division